

Message Text

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11

ACTION DLOS-04

INFO OCT-01 EUR-12 NEA-10 IO-11 ISO-00 FEA-01 ACDA-05

AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01

OFA-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 SAL-01 /129 W

----- 094715

R 111530Z MAR 76

FM AMEMBASSY ROME

TO SECSTATE WASHDC 6284

INFO AMEMBASSY BEIRUT VIA POUCH

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

USMISSION USUN NEW YORK

C O N F I D E N T I A L ROME 3992

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: UP-COMING LOS CONFERENCE SESSION

REF: STATE 54588

1. AMBASSADOR CONVEYED POINTS MADE REFTEL TO SECRETARY GENERAL MFA ON MARCH 10, AND LEFT NOTES COVERING U.S. POSITION AND SUMMARY OF MAJOR ISSUES AS SEEN FROM U.S. PERSPECTIVE. SECRETARY GENERAL SAID HE DID NOT FOLLOW LOS CLOSELY AND WAS CONFIDENTIAL

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NOT ABLE TO COMMENT SUBSTANTIVELY ON AMBASSADOR'S REMARKS.

HOWEVER, HE DID AGREE WITH URGENCY OF REACHING SOME SORT OF AGREEMENT AT THE COMING CONFERENCE AND INDICATED HE WOULD PASS ON OUR MATERIAL TO THE MFA'S LOS EXPERTS, BEARING IN MIND, OF COURSE, THAT OTHER GOI MINISTRIES WERE INTIMATELY INVOLVED IN PREPARING GOI POSITION.

2. EMBOFF HAD SUBSEQUENT DISCUSSION WITH MFA LOS EXPERT WHO, FOLLOWING A QUICK SCAN OF THE PAPERS WE HAD LEFT WITH THE MINISTRY, MADE FOLLOWING PRELIMINARY OBSERVATIONS:

A. THE MFA FOUND SOMEWHAT DISTURBING THE INTRODUCTION BY THE U.S. AT THE RECENT EVANSTON GROUP MEETING OF THE NOTION OF "GEOGRAPHICALLY DISADVANTAGED STATES". UNDER THE TENTATIVE CRITERIA THAT WERE PUT FORWARD, ITALY WOULD BE CATEGORIZED AS A "GEOGRAPHICALLY ADVANTAGED STATE" WHILE FRANCE WOULD BE INCLUDED AMONG THE "DISADVANTAGED". IN THE QUESTION OF ECONOMIC ZONES, FOR EXAMPLE, HE POINTED OUT THAT NOWHERE COULD ITALY EXPECT TO EXTEND ITS ZONE ANYWHERE NEAR 200 MILES. THE GREATEST DISTANCE IN THE DEMARCATION BETWEEN ITALY AND ANY ONE OF ITS MEDITERRANEAN NEIGHBORS WOULD BE ABOUT 110 MILES. IN MOST AREAS IT WOULD BE FAR LESS. YET AS A "GEOGRAPHICALLY ADVANTAGED STATED" ITALY WOULD LOGICALLY BE EXPECTED TO ACCOMODATE THE ASPIRATIONS OF ITS LANDLOCKED NEIGHBORS (SWITZERLAND AND AUSTRIA, AT LEAST FOR RIGHTS IN ITS ECONOMIC ZONE.

B. ITALY RECOGNIZES THE DIFFICULTY IN ELABORATING A SATISFACTORY REGIME GOVERNING MARINE SCIENTIFIC RESEARCH, PARTICULARLY IN VIEW OF ITS OWN PREDILECTION FOR SOME COASTAL STATE CONTROL UNDER SOME CONDITIONS IN THE LIGHT OF ITS OWN FEARS OF INCREASING WARSAW PACT "SCIENTIFIC TRAWLER" INTRUSIONS. ITALY BELIEVES THAT A FORMULA CAN BE FOUND TO MAKE A WORKABLE DISTINCTION BETWEEN PURE RESEARCH" AND "APPLIED RESEARCH", THE ASSUMPTION BEING THAT THE LATTER COMES CLOSE TO BEING "EXPLORATION" FOR EXPLOITATION. THE FORMER IN THE ITALIAN VIEW SHOULD NOT BE CONTINGENT UPON THE CONCURRENCE OF THE COASTAL STATE. THE LATTER, HOWEVER, COULD BE SUBJECT TO A "NON-CONSENT" REGIME IN WHICH THE COASTAL STATE WOULD HAVE THE RIGHT TO DENY CONTINUED ACCESS TO VESSELS ENGAGED IN RESEARCH THAT WAS RELATED TO THE EXPLOITATION OF ECONOMIC RE-

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SOURCES. THE MFA'S POSITION IN THIS MATTER IS IN PROCESS OF FORMULATION. IT RECOGNIZES THAT THE U.S. AND THE USSR FAVOR THE MOST LIBERAL REGIME POSSIBLE AND IN THE END ITALY MAY BE STUCK WITH IT. IN THE MEANTIME THE MFA WILL CAST ABOUT FOR A WORKABLE FORMULA THAT WILL GIVE THE WIDEST POSSIBLE LATITUDE FOR SCIENTIFIC INVESTIGATION WHILE TAKING INTO ACCOUNT THE ECONOMIC AND SECURITY INTERESTS OF THE COASTAL STATE. OF COURSE, FUNDAMENTAL TO THE ITALIAN POSITION IS THE REQUIRE-

MENT FOR COASTAL STATE SHARING IN THE RESULTS OF RESEARCH
CONDUCTED IN ITS ZONE AS WELL AS ITS PUBLICATION.

C. ONE OF THE KEY ELEMENTS OF THE COMING CONFERENCE AS SEEN
BY THE MFA (AND AMONG THE MOST DIFFICULT OF RESOLUTION) IS
THE QUESTION OF DISPUTE SETTLEMENT. THE MFA ENTIRELY SHARES
THE U.S. POSITION THAT PROVISIONS MUST BE MADE FOR COMPRE-
HENSIVE COMPULSORY DISPUTE SETTLEMENT. IT IS NOT SANGUINE
THAT EXISTING INTERNATIONAL INSTITUTIONS CAN ASSUME THIS
FUNCTION AND BELIEVES THAT DISPUTE SETTLEMENT WILL PROBABLY
REQUIRE THE ESTABLISHMENT OF AD HOC FACILITIES.

3. THE MFA LOS EXPERT WILL BE STUDYING THE U.S. VIEWS OVER
THE NEXT DAY OR SO AND WILL COMMUNICATE TO THE EMBASSY FOR
TRANSMITTAL TO THE DEPARTMENT ANY FURTHER OBSERVATIONS ON
ISSUES WHERE THE ITALIAN POSITION MAY DEVIATE FROM OURS OR ON
ISSUES TO WHICH ITALY ASSIGNS SOME PRIORITY THAT WERE NOT THE
SUBJECT OF THIS DISCUSSION. VOLPE

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